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CONFIRMATION NO. ATTORNEY DOCKET NO. FIRST NAMED INVENTOR FILING DATE APPLICATION NO. 6465 250241US3CONT Hiromasa Sato 10/798,556 03/12/2004 EXAMINER 08/05/2005 7590 22850 CHANG, AUDREY Y OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET PAPER NUMBER ART UNIT ALEXANDRIA, VA 22314 2872

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	Applicant(s)			
10/798,556	SATO ET AL.				
Examiner	Art Unit				
Audrey Y. Chang	2872				

		Audrey Y. Chang		2872	
	The MAILING DATE of this communication appe	ars on the cover shee	et with the c	orrespondence add	ress
THE	REPLY FILED <u>25 July 2005</u> FAILS TO PLACE THIS APPI	ICATION IN CONDITI	ON FOR AL	LOWANCE.	
	The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	ving replies: (1) an amo tice of Appeal (with ap	endment, aff peal fee) in o	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a)	\square The period for reply expires <u>3</u> months from the mailing date	of the final rejection.			
	The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7.	ater than SIX MONTHS fr (b). ONLY CHECK BOX (06.07(f).	rom the mailings) WHEN THE	g date of the final rejecti E FIRST REPLY WAS F	on. ILED WITHIN
have I under set for may r	sions of time may be obtained under 37 CFR 1.136(a). The date been filed is the date for purposes of determining the period of ex 37 CFR 1.17(a) is calculated from: (1) the expiration date of the sthin (b) above, if checked. Any reply received by the Office latereduce any earned patent term adjustment. See 37 CFR 1.704(b) CE OF APPEAL	tension and the correspor shortened statutory period than three months after t	nding amount d for reply orig	of the fee. The appropri inally set in the final Offi	iate extension fee ce action; or (2) as
2. 🗌	The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exte a Notice of Appeal has been filed, any reply must be filed NDMENTS	nsion thereof (37 CFR	41.37(e)), to	avoid dismissal of th	ns of the date of se appeal. Since
	The proposed amendment(s) filed after a final rejection,	but prior to the date of	filing a brief.	will not be entered b	ecause
<u>د کی </u>	 (a) ☐ They raise new issues that would require further co (b) ☐ They raise the issue of new matter (see NOTE belo (c) ☐ They are not deemed to place the application in bel appeal; and/or 	nsideration and/or sea w);	rch (see NO	TE below);	
	(d) They present additional claims without canceling a	corresponding number	of finally rej	ected claims.	
	NOTE: See Continuation Sheet. (See 37 CFR 1.1		, ,		
4. 🔲			ce of Non-Co	mpliant Amendment	(PTOL-324).
5. 🗀					
6. 🔲	Newly proposed or amended claim(s) would be all non-allowable claim(s).	lowable if submitted in			
7. 🛚	For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 3-7,12 and 13.			II be entered and an e	explanation of
^ C C !!	Claim(s) withdrawn from consideration: <u>14</u> .				
	DAVIT OR OTHER EVIDENCE The affidavit or other evidence filed after a final action, bubecause applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).				
	The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to a showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections y and was not earlier p	under appe presented. S	al and/or appellant fa see 37 CFR 41.33(d)(ils to provide a 1).
] The affidavit or other evidence is entered. An explanation JEST FOR RECONSIDERATION/OTHER	n of the status of the c	daims after e	ntry is below or attacl	ned.
	The request for reconsideration has been considered bu See Continuation Sheet.	it does NOT place the	application	n condition for allowa	nce because:
12. [Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-14	449) Paper N	Vo(s)	
_	Other:			m	
			. (Audrey Y. Chang	

Primary Examiner Art Unit: 2872

Continuation Sheet (PTO-303)

Application No. 10/798,556

Continuation of 3. NOTE: The proposed amendment significantly chages the claims which require furtehr considerations and searches.

Continuation of 11. does NOT place the application in condition for allowance because: applicant's arguments are based on newly propsoed amendment to the claims that have not been entered and therefore not persuasive to overcome the rejections.